UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:17-cv-00730-FDW-DSC

JANE DOE,)	
Plaintiff,)))	
VS.))	ъ
CATHLEEN MARY FOWLER and JOHN M. FOWLER,) ORDE:))	K
Defendants.)))	

THIS MATTER is before the Court on Plaintiff Jane Doe's Affidavit as to Costs of Suit Requested (Doc. No. 44), and it appears from the record that:

- 1. On February 27, 2019, this Court granted Plaintiff's Motion for Default Judgment (Doc. No. 42) and entered judgment against Defendant John M. Fowler in favor of Jane Doe in the amount of \$150,000, plus costs to be determined based on accompanying documentation (Doc. No. 43).
- 2. Because Plaintiff failed to provide an amount requested for costs or any documentation to support her request, the Court ordered Plaintiff to supplement her supporting affidavit to reflect an amount consistent with this Court's February 27, 2019 Order to be filed no later than seven (7) calendar days from the date of the February 27, 2019 Order. See (Doc. No. 23, p. 2).
- 3. Plaintiff seeks the assessment against Defendant John M. Fowler of a sum certain of \$1,051.25 evidenced by an Affidavit filed by Plaintiff's attorney. (Doc. No. 44, ¶ 2; Doc. No. 44-1; Doc. No. 44-2). The Court notes that Plaintiff is entitled to costs of the suit under 18 U.S.C. § 2255(a). See 18 U.S.C. § 2255(a) ("Any person

who, while a minor, was a victim of a violation of section . . . 2243 of this title and who suffers personal injury as a result of such violation, regardless of whether the injury occurred while such person was a minor, may sue in any appropriate United States District Court and shall recover the actual damages such person sustains and the cost of the suit, including a reasonable attorney's fee.").

4. Plaintiff is not seeking assessment of attorney fees. (Doc. No. 44, ¶ 3).

NOW THEREFORE, pursuant to Fed R. Civ. P. 55(b), and consistent with this Court's February 27, 2019 Order (Doc. No. 43), the Court enters judgment against Defendant John M. Fowler in favor of Jane Doe for costs in the amount of \$1,051.25.

IT IS THEREFORE ORDERED that Plaintiff's Motion (Doc. No. 44) is GRANTED. The Clerk of Court is respectfully directed to CLOSE THE CASE.

IT IS SO ORDERED.

Signed: March 19, 2019

Frank D. Whitney

Chief United States District Judge